

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**David J. Creely Sr.**  
Debtor(s)

Bankruptcy Case No.: 14-23737-CMB

Chapter: 13  
Docket No.: 84 - 83  
Concil. Conf.: April 11, 2019 at 09:00 AM

**ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **March 1, 2019**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

**OR**

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **March 18, 2019**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **April 11, 2019 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: January 15, 2019

cm: All Creditors and Parties In Interest

Carlota M. Bohm  
United States Bankruptcy Judge

**INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee  
P.O. Box 84051  
Chicago, IL 60689-4002

**Certificate of Notice Page 3 of 4**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 David J. Creely, Sr.  
 Debtor

Case No. 14-23737-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: gamr  
 Form ID: 410

Page 1 of 2  
 Total Noticed: 18

Date Rcvd: Jan 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 17, 2019.

db +David J. Creely, Sr., 20 Grace Street, Pittsburgh, PA 15205-2909  
 cr +Equitable Gas Bankruptcy Department, Attn: Judy Gallowski, 225 North Shore Drive 2nd Floor,  
 Pittsburgh, PA 15212-5860  
 cr U.S. Bank Trust National Association as Trustee of, Law Offices of Michelle Ghidotti,  
 1920 Old Tustin Avenue, Santa Ana  
 13922344 +Borough of Crafton, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,  
 Pittsburgh, PA 15219-6101  
 13922345 +Borough of Crafton/Carlynton SD, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,  
 Pittsburgh, PA 15219-6101  
 13939333 +Equitable Gas, PO Box 371820, Pittsburgh, PA 15250-7820  
 14387108 MTGLQ Investors, L.P., c/o Shellpoint Mortgage Servicing, PO Box 10826,  
 Greenville, SC 29603-0826  
 13944484 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
 (address filed with court: Nationstar Mortgage, Attn: Bankruptcy Department, PO BOX 630267,  
 Irving, TX 75063)  
 13922349 Ohio Valley Hospital, P.O. Box 951731, Cleveland, OH 44193-0019  
 13967726 +Peoples Natural Gas Company, LLC, Equitable Gas Division, 375 N. Shore Drive, Suite 600,  
 Pittsburgh, PA 15212, Attention: Dawn Lindner 15212-5866  
 14908824 U.S. Bank Trust Nt Assoc Trustee of Chalet Series, C/O SN Servicing Corp.,  
 323 5th Street Eureka, CA 95501

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13922346 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 16 2019 02:41:00 Capital One Bank,  
 P.O. Box 71083, Charlotte, NC 28272-1083  
 13953108 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 16 2019 02:40:27  
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 13922347 E-mail/PDF: resurgentbknotifications@resurgent.com Jan 16 2019 02:40:32 Chase Bank,  
 c/o LNVN Funding & Resurgent Capital, P.O. Box 10587, Greenville, SC 29603-0587  
 13987342 +E-mail/Text: kbarkley@bernsteinlaw.com Jan 16 2019 02:35:46 Duquesne Light Company,  
 c/o Peter J. Ashcroft,, Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,,  
 Pittsburgh, PA 15219-1945  
 13989282 E-mail/PDF: resurgentbknotifications@resurgent.com Jan 16 2019 02:40:33  
 LNVN Funding, LLC its successors and assigns as, assignee of Chase Bank USA, N.A.,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 13922350 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jan 16 2019 02:40:44  
 Portfolio Recovery Associates, P.O. Box 12914, Norfolk, VA 23541  
 14913110 +E-mail/Text: bknotices@sns.com Jan 16 2019 02:35:49  
 U.S. Bank Trust Nt Assoc Trustee of Chalet Series, c/o SN Servicing Corp., 323 5th Street,  
 Eureka, CA 95501-0305

TOTAL: 7

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Borough of Crafton  
 cr Carlynton School District  
 cr Duquesne Light Company  
 cr MTGLQ INVESTORS, L.P.c/o Shellpoint Mortgage Servi  
 cr NATIONSTAR MORTGAGE LLC  
 13922348 ##+Nationstar Mortgage Corporation, 350 Highland Drive, Lewisville, TX 75067-4177

TOTALS: 5, \* 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
 will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
 debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner  
 shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social  
 Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required  
 by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 17, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: gamr  
Form ID: 410

Page 2 of 2  
Total Noticed: 18

Date Rcvd: Jan 15, 2019

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 15, 2019 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor NATIONSTAR MORTGAGE LLC andygornall@latouflawfirm.com  
James Warmbrodt on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
Jeffrey R. Hunt on behalf of Creditor Borough of Crafton jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jeffrey R. Hunt on behalf of Creditor Carlynton School District jhunt@grblaw.com,  
cnoroski@grblaw.com  
Kenneth Steidl on behalf of Debtor David J. Creely, Sr. julie.steidl@steidl-steinberg.com,  
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@st  
eidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-ste  
inberg.com  
Matthew Christian Waldt on behalf of Creditor NATIONSTAR MORTGAGE LLC mwaldt@milsteadlaw.com,  
bkecf@milsteadlaw.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 10